

 NORFOLK Department of Police		Administrative General Order - 210: Internal Complaints	
		Office of Preparation: Office of Support Services (mar)	
		CALEA:	52.1.1, 52.1.2, 52.1.3, 52.2.1., 52.2.3
		VLEPSC:	PER.02.02, ADM.02.05, ADM.18.02, ADM.18.03
LEGAL REVIEW DATE:	October 19, 2016	PRESCRIBED DATE:	October 28, 2016
City Attorney:	Heather A. Muller	City Manager/Director of Public Safety:	[Signature]
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

Purpose:

The purpose of this order is to establish procedures for the prompt and thorough investigation of alleged or suspected misconduct of department personnel.

Policy:

The department's policy is that personnel encourage citizens and co-workers to report legitimate complaints of inadequate police service or police misconduct. Every reasonable effort will be made to facilitate the convenient, courteous, and prompt receipt and processing of complaints. The possibility of a civil claim or suit will not affect the receipt of a complaint or the conduct of an internal investigation. There shall be no retaliation against any personnel or citizens who report or facilitate the reporting of any inadequate police service or police misconduct. Other than sections specified as applicable only to sworn personnel, this policy shall also apply to civilian (non-sworn) departmental employees.

Supersedes:

1. G.O. ADM-210, dated June 24, 2015
2. Any previously issued-directive conflicting with this order

Order Contents:

- I. Complaints Defined
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I. Complaints Defined

While it will generally be obvious when a complaint alleges misconduct on the part of an employee, complaints concerning inadequate service or improper procedures may sometimes be more difficult to identify. In many instances, a citizen may be merely requesting information or clarification of a policy or procedure. In such cases, the citizen should be given a thorough explanation of the procedures which prompted the inquiry. Because of the fine line that occasionally exists between complaints and inquiries, if there is any uncertainty, it should be considered a complaint and handled accordingly.

II. Procedure for Accepting and Processing Complaints (CALEA 52.1.1), (VLEPSC PER.02.02, ADM.18.02)

A. Any citizen complaint, regardless of category, will be accepted at any police command or at the Office of Professional Standards, Internal Affairs Unit (OPS-IA), and will be recorded on PD 528: Citizen Complaint Form, Attachment A. Every effort will be made to facilitate the convenient, courteous, and prompt receipt and processing of complaints. Any member of the department who in any way interferes with, discourages, or delays the making of such complaint may be subject to disciplinary action. Anonymous reports will be handled in the same manner as those in which the complainant is identified.

1. Complaints may be accepted in person, by email, in writing, or by telephone, and whether or not the complainant discloses his/her name.
2. The original handwritten copy of the complaint form will be placed in a sealed envelope and forwarded to OPS-IA, with one copy retained by the command of the employee who is the subject of the complaint. However, when any complaint appears to be serious enough to warrant immediate attention but is received when OPS-IA is closed, the supervisor receiving the complaint will immediately notify the Field Commander. If necessary, the Field Commander will consult with the Commanding Officer of OPS to determine whether immediate OPS-IA involvement is required.
3. When complaints are received at a command other than OPS-IA, the command of the employee who is the subject of the complaint will be notified.
 - a. Personnel accepting a citizen complaint being lodged in person will furnish the complainant with PD 528, and will instruct the complainant to complete and sign the form in their handwriting. Once completed and signed, the complainant will be given a copy, the command will retain a copy for their files, and the original will be forwarded to OPS-IA.
 - b. Upon request, complainants will be provided whatever reasonable clerical assistance is necessary in completing the form.

- (1) If assistance is provided, a brief statement shall be included in the "Details of Complaint" explaining the assistance provided and why such assistance was provided.
 - (2) Any person assisting the complainant will sign the form.
 - (3) Personnel assisting complainants in preparing the form will review the contents for legibility, and may make formal corrections as needed. The complainant will be requested to initial any corrections.
 - (4) One copy of the form will be given to the complainant to serve as a written receipt and will not contain any observations of personnel receiving the complaint.
4. Personnel accepting a citizen complaint by telephone will fill out the "Citizen Complaint Report" in their own handwriting.
 - a. The words "Telephone Complaint" will be printed in the complainant's signature box.
 - b. Personnel will forward the complaint to their Commanding Officer or OIC, who will either handle the complaint, forward the complaint to the Commanding Officer of the employee who is the subject of the complaint, or forward it to OPS-IA for investigation. Section IV sets out the categories of complaints which must be referred to OPS-IA and those that will be handled at command level. Commands will investigate the complaint and forward the completed investigation, along with the recommendation, to OPS for entry into the Records Management System (RMS).
5. Personnel receiving a citizen complaint through the U.S. Postal Service or by email will forward the correspondence to their Commanding Officer, who will determine if that command or OPS-IA will be responsible for investigating the complaint.
6. Personnel accepting complaints will complete the "Police Department Only" section at the bottom of the form to include their own knowledge of the incident and any additional information obtained from the complainant.
7. When it appears to personnel that the complainant may be suffering from a mental disorder or any other condition bearing on his/her credibility, personnel will fill out the complaint form as completely as possible and on a separate sheet attached to PD 528, will note the following:

- a. Observations as to the physical condition and behavior of the complainant.
 - b. A brief, informal statement about the complaint.
 - c. All such remarks and statements on the attached sheet will be followed by the signature of the personnel providing the supplemental information.
8. In all complaints alleging excessive force by personnel, the commanding officer or a supervisor in charge where the complaint is lodged, will:
 - a. Ascertain where the complainant received or will be receiving medical treatment, if any.
 - b. Request permission from the complainant and photograph any alleged injuries.
 - c. If required, the complainant may be asked to provide medical records related to the lodged complaint. If the complainant asks that the NPD obtain those records directly, they will be required to sign PD 865: Authorization for Release of Health Information, Attachment E.
9. Complaints that require an OPS-IA investigation will be forwarded to OPS-IA the day the complaint is received. If OPS-IA is closed, personnel will forward the Citizen Complaint Form, PD 528, on the following business day to OPS-IA. All additional related information will be delivered to OPS-IA as soon as practical.
10. All complaints in the following categories received after normal daytime working hours will be reported to the Field Commander who will determine the appropriate action to be taken.

Excessive Force
Abuse of Authority
Ethnic Slurs or Bias Based Policing
Improper Arrest
Improper Search
Free Speech
Free Assembly
Other civil rights violations
Discharge of Firearms
Discharge Involving Injuries
Discharge Involving Death
Alleged Criminal Violations Committed by Personnel

11. Upon receipt of a complaint, OPS-IA will assign a control number, and record relevant information according to OPS-IA standard operating procedures.
12. In the event of an extended delay between the alleged incident and the filing of a complaint (i.e., 30 days or more), a reasonable explanation for the delay will be required.

B. Complaint Withdrawal

If, for any reason, a citizen or department personnel withdraws a complaint, OPS-IA will ensure that a PD 876: Complaint Withdrawal Form, Attachment B, is completed. The complainant will be informed that the investigation may nevertheless proceed, at the discretion of the OPS Commanding Officer.

- C. When the investigation of the complaint is completed, all reports will be forwarded to the Chief of Police via the chain of command, with the exception of investigations handled by commands (see Section IV. C.).

III. Complaint Categories (CALEA 52.2.1), (VLEPSC ADM 02.05, ADM.18.03a, PER 02.02)

- A. Complaint categories will be determined by OPS according to OPS-IA standard operating procedures. Categories and examples of complaint types are listed below.

Complaint Categories

1. OPS-IA is responsible for the investigation of allegations in the following categories:
 - Excessive Force
 - Abuse of Authority
 - Ethnic Slurs or Bias Based Policing
 - Improper Arrest
 - Improper Search
 - Free Speech
 - Free Assembly
 - Other civil rights violations
 - Any allegation/complaint, at the discretion of the Chief of Police
2. Unless otherwise directed by the Chief of Police pursuant to Section III.A.1, or by the Commanding Officer of OPS pursuant to Section IV.A.2, complaints not required to be handled by OPS-IA will be investigated by the employee's commanding officer and first-line supervisors:
 - Missing court (file forwarded from OPS)

- Lost departmental equipment
 - Lost citizen's property
 - Failure to Provide Police Services
 - Paperwork issues
 - Dress and Personal Appearance
 - Operational Procedures
 - Discharge of Firearms (animals or negligent)
 - Any allegation/complaint that does not require an OPS-IA investigation
3. Investigated by the Investigative Services Bureau are allegations of any crime, misdemeanor or felony, committed by an employee:
- Criminal investigations of department personnel if incident occurred in Norfolk
 - Criminal investigations related to Discharge (Firearms) Involving Injury and Discharge (Firearms) Involving Death if incident occurred in Norfolk
- B. "Other civil rights" includes those rights secured to citizens by state or federal constitution or laws other than those specifically covered by Sections II.A.10 and III.A.1.

IV. Investigative Responsibility (CALEA 52.1.2, 52.2.1) (VLEPSC 18.02)

- A. Responsibilities of OPS-IA are to:
1. Investigate all complaints listed in the above Complaint Categories that require an OPS-IA investigation.
 2. Investigate, at the discretion of the Commanding Officer of OPS, a citizen or administrative complaint listed in the above Complaint Categories that is normally investigated by another command.
 3. Investigate complaints from any member of the department who desires to file a complaint against any other employee.
 4. Assist command investigators engaged in complaint investigations.
 5. Review all reports of investigations handled by other commands.
 6. Prepare cases for departmental board hearings, trial board proceedings, grievance proceedings, and other similar proceedings.
 7. Maintain complete, confidential records of all investigations and all actions taken. Records will be kept in a secured space within the Office of Professional Standards with only OPS-IA personnel having access or granting controlled access to these folders.

8. Keep records according to the Library of Virginia records retention schedule.

B. Criminal Investigations

1. OPS-IA will conduct an administrative investigation separate from but parallel to any criminal investigation of the same incident conducted by the Investigative Services Bureau.
 - a. OPS-IA will be provided with all facts, materials, evidence, etc. developed by the criminal investigation.
 - b. Statements that department personnel are compelled to make during an administrative investigation shall not be disclosed to criminal investigators unless an exception under the Garrity Rule exists.
 - c. An exception allowing the release of information to the criminal investigation are statements made by citizens or non-departmental personnel that pertain to the criminal investigation.
 - d. If it appears that the criminal investigation, or any aspect of it, may be prejudiced or impaired by the administrative investigation, the latter shall be suspended until such time as it may be resumed without impairing the criminal investigation. The suspension and/or resumption of OPS-IA investigations parallel to a pending criminal investigation shall be determined by the Chief of Police.
2. The Detective Division will investigate all officer-involved use and intended use of deadly force incidents directed at a person which may have criminal aspects per guidelines provided in G.O. OPR-410: Deadly Force Incidents. The determination whether an incident may have criminal aspects will be made by the Commanding Officer of the Detective Division and/or the Commonwealth Attorney's Office.
3. The Investigative Services Bureau will conduct investigations of alleged criminal violations committed by personnel.
4. All alleged or suspected actions of department personnel which involve the possible commission of a criminal offense must be reported to the on-duty Field Commander.

C. Complaints Handled by Commands

1. The Commanding Officer, or any delegated first-line supervisor within that command may investigate citizen complaints and administrative complaints against employees within their command, as long as the complaint is not one required to be investigated by OPS-IA (see Complaint Categories, Section III, A.1.).
2. Complaints handled on the command level will be processed in the manner prescribed in Section II.

3. Inquiries from citizens about policies and procedures can be handled at the command level as long as the person only wants clarification on the policy and procedure. If such an "Inquiry" is made by the citizen to OPS-IA, and a command can better explain a policy and procedure, it will be forwarded by OPS-IA to that command so that contact can be made with the citizen. However, if at any point it is determined that the citizen is making an allegation/complaint, that if substantiated would result in a violation of policies and procedures, then the complaint will be investigated as stated in Section II, and will no longer be considered an "Inquiry."
4. If a complaint cannot be resolved at the command level or is a continuing violation, it will be referred to OPS-IA for a control number and further handling.
5. If a command handled investigation results in command counseling, it will be documented by utilizing an interdepartmental form letter, Command Counseling, Attachment J. Under no circumstances should command counseling or retraining be considered discipline.

V. Responsibility of Employees

- A. Each member of the department is required, as a condition of employment, to cooperate fully with OPS-IA personnel or any other member of the department conducting an administrative investigation under this order.
- B. Any employee of the department who provides false or misleading information, either verbal or written, during any criminal or administrative investigation, or gives false or misleading evidence or testimony during a criminal or administrative hearing, will be subject to disciplinary action. Such misconduct is considered extremely serious.

VI. Investigative Guidelines

All internal investigations will be conducted in conformance with the guidelines contained in this order and with the Code of Virginia (Attachment C: Code References, Code of Virginia - Reference 1).

A. Notification of Supervisors

When practical, the employee's commanding officer or the supervisor in charge will be notified when one of his/her subordinates is to be questioned by an OPS-IA investigator.

B. Scheduling of Interviews

1. Department members will be contacted either personally, by email or by telephone to schedule required interviews. Consistent with the

requirements of the investigation, reasonable efforts will be made to accommodate the member's personal needs.

2. Any questioning of department members will take place at a reasonable time and place as designated by the investigating officer, preferably when the member under investigation is on duty and at the office of the command of the investigating officer, or at the office of the member being investigated, unless matters being investigated are of such nature that immediate action is required (Attachment C: Code of Virginia - Reference 2).

C. Interview Sessions

1. Prior to any questioning, the employee will be informed of the name and rank of the investigating officer and of any individual to be present during the questioning, and the nature of the investigation (see Attachment C: Code of Virginia - Reference 3).
2. No employee will be required or requested to disclose any item of his/her property, income, assets, source of income, debts, personal or domestic expenditures, including those of any member of his/her family or household, unless such information is necessary in investigating a possible conflict of interest with respect to the performance of his/her official duties, or unless such disclosure is required by law, or unless such information is related to an investigation. Nothing in this section will preclude requiring such member to disclose any place of off-duty employment and where he/she may be contacted (see Attachment C: Code of Virginia - Reference 4).
3. No employee will be allowed to have his/her supervisor, an attorney, or any other person present during an interview in an administrative investigation.
4. If an interview extends through a normal meal period, it will be discontinued for such reasonable time as is necessary to afford the employee an opportunity to order food and eat it in a quiet atmosphere. Employees will be granted reasonable opportunities to satisfy other personal needs.
5. In cases where it is necessary to continue an interview beyond the employee's normal tour of duty or during off-duty time, the employee involved will be allowed to make telephone calls, within reason, to such persons he/she construes as necessarily needing information about his/her delay. The employee will not disclose or discuss the subject of the investigation or that he/she is being interviewed.

6. Statements made by employees during administrative investigations will be used by the department for administrative purposes only, and will not be used in any criminal prosecution of the employee which arises out of the same subject matter or inquiry of the interview (often referred to as Garrity Rights). There are, however, exceptions that address when a statement given for administrative purposes can be used in a criminal prosecution. When a request is made for the department to provide such statements for the purpose of being used in a criminal prosecution, the department will notify the City Attorney's Office of the request. The City Attorney's Office will advise how the department should respond to the request.
7. If during an administrative investigation an employee refuses, when so directed, to provide pertinent information or to answer a pertinent question, the OPS-IA investigator will stop the interview and have the Commanding Officer of OPS or, if he/she is unavailable, any lieutenant or above, to order the employee to answer. If the employee persists in refusing to respond, he/she will be relieved of duty immediately pending formal action by the Chief of Police.

D. Mandated Physical and/or Psychological Testing

1. Sworn employees who are the subject of an internal investigation may be required to submit to the following at the department's expense for areas that relate to an investigation relating to the officer's employment or official position:
 - a. Medical, psychological and/or laboratory examination(s).
 - b. Polygraph testing
 - c. Drug Screening test. All personnel who are required to take a drug screening test for investigative reasons will sign PD 875: City of Norfolk Drug Screening Consent, Attachment D.
 - d. Photographing
 - e. Participation in a line-up
 - f. Provision of a financial disclosure statement, other financial records, and other writings and tangible things in connection with an administrative investigation in which such information is material.
2. Upon request, an officer will provide medical records for investigative purposes. If such records are to be obtained by investigators, the person will be asked to sign PD 865: Authorization for Release of Health

Information, Attachment E. However, the investigator will first clear a request for signature of a PD 865 by an employee with a City Attorney.

3. For civilian personnel, when a supervisor identifies conduct or behavior that may be reasonably suspected as caused by a mental or emotional disorder, or a drug or alcohol problem, the supervisor may require the person to submit to physical or psychological evaluation. This is in accordance with the City of Norfolk Personnel Administrative Policies Manual, Employee Assistance Policy Statement and Substance Abuse and Drug-Free Work Place Policy.
4. Civilian personnel who may be required to take a polygraph test will be governed by the City of Norfolk Personnel Administrative Procedures Manual, Section 3.8 - Guidelines For Polygraph Examination.

VII. Evaluation of Investigation and Findings (CALEA 52.1.3, 52.2.3), (VLEPSC ADM. 18.02, 18.03b)

- A. The Commanding Officer of OPS will be responsible for the completed investigation and is authorized to consult with and/or report directly to the Chief of Police. The completed case folder will be classified as confidential.
- B. Should it be determined from the evidence at any time during any investigation that the complaint is clearly unfounded, the investigation will be terminated and reports and statements giving evidence of the justification for the termination of the investigation will be forwarded to the Chief of Police.
- C. After an investigation is completed by OPS-IA, the case folder will be forwarded to the employee's commanding officer for evaluation and recommendations.
 1. During the course of an investigation, commanding officers may share investigative folders with those lieutenants and/or supervisors necessary to complete the task and make appropriate recommendations.
 2. While folders are being reviewed at the command level, confidentiality should be maintained on a need-to-know basis with officers reviewing only their own statements.
 3. Once returned to OPS-IA, access is limited to members of that division, appropriate command staff as authorized by the Chief of Police, and necessary city legal authority.
 4. Information will be made available as to the number of complaints and their disposition to those commanding officers who are considering officers for transfers, special assignments, and to assist in their recommendations.

5. Review of specific folders will be done only when authorized by the OPS Commanding Officer and with the approval of the Chief of Police.

D. Classification of Findings

1. The commanding officer's evaluation and recommendations will be submitted to OPS no later than sixty (60) calendar days after receipt of the folder. If more time is needed, the Commanding Officer of OPS will be notified.
2. The commanding officer of the individual complained against will classify the findings as follows:
 - a. Unfounded: Allegations are false or not factual, no basis in fact.
 - b. Exonerated: Incident occurred but was lawful and proper.
 - c. Unsubstantiated: Insufficient evidence to prove or disprove the allegation.
 - d. Substantiated: The allegation is supported by sufficient evidence.

E. Following a command review and recommendation, the completed file will be forwarded to the Commanding Officer of OPS.

1. OPS will review investigations and recommendations handled by other commands. Any inconsistency of dispositions between commands or inadequate investigation shall be reported to the appropriate Assistant Chief.
2. OPS will forward the file to the appropriate Assistant Chief and then handle as set forth in G.O. ADM-220: Disciplinary Procedures.

F. Relief from Duty

As outlined in G.O. OPR-750: Field Command, any command level officer or on-duty officer acting in the capacity of Field Commander, has the authority to relieve any officer under his/her command from duty until the next business day when it appears that the continued presence of the officer on the job would be a substantial and immediate threat to the welfare of the department or the public. An officer relieved from duty will be required to report to their commanding officer the next business day and will be subject to OPS-IA investigation at the discretion of the Chief of Police. All investigations of officers relieved from duty will be given an OPS-IA control number and carried out according to OPS standard operating procedure.

G. Civilian Suspensions

Civilian Police Department employees subject to immediate suspension will be governed by the City of Norfolk Personnel Administrative Policies Manual.

VIII. Notification of Employees and Complainants

- A. Complainants will be notified in writing by the investigating command of the status of their complaint when a final determination has been made by the Chief of Police or appropriate commanding officer.
- B. In the event of any delay of more than one month in completing an investigation, the complainant shall be notified in writing of the status of his/her complaint.
- C. All department members who are the subject of an OPS investigation classified as unfounded, exonerated, or unsubstantiated will be notified by letter as to the outcome of the investigation. The letter will be directed to the concerned employee, and will contain the name of the complaining party, the alleged charge, and the disposition. This letter will be delivered to the employee's division commander for service to the employee.
- D. Investigations classified as substantiated and any charges based on misconduct not based on the original complaint will be processed in accordance with the Norfolk City Charter and Code of Virginia (Attachment C: Code of Virginia - References 6 and 7).
- E. Administrative Charges – Procedures and Rights
 - 1. If administrative charges are brought, the employee will receive a written Notice of Charges, Attachment F. He or she has five (5) calendar days from receipt of the Notice of Charges to respond either in writing or orally to the Chief of Police regarding such charges.
 - 2. An employee who receives an official reprimand will be notified by a Letter of Reprimand, Attachment G.
 - 3. If the decision is made to suspend the employee, a written Certificate of Suspension, Attachment H, will be delivered to the employee via chain of command. The Certificate of Suspension notice includes a reference to the statement of rights guaranteed by the Code of Virginia, (Attachment C: Code of Virginia - Reference 8, including a right to initiate a grievance and procedures thereof. An employee who receives an indefinite suspension will be notified with a Certificate of Indefinite Suspension, Attachment I.

4. Procedures to appeal an administrative charge are outlined in G.O. ADM-220: Disciplinary Procedures.

IX. Discretion of Chief of Police

The Chief of Police retains sole discretion to alter and/or modify the final disposition of internal investigations and assignments of investigative responsibilities described in this order.

Related Documents:

1. G.O. ADM-220: Disciplinary Procedures
2. G.O. ADM-230: Grievance File Maintenance
3. G.O. OPR-410: Deadly Force Incidents
4. G.O. OPR-750: Field Command
5. Police Officer's Manual, Article I, Section 13.2; Article II, Section 32
6. City of Norfolk Personnel Administrative Procedures Manual
7. Code of Virginia Title 9.1, Commonwealth Public Safety, Ch. 5, 9.1-500 to 507
8. Charter of the City of Norfolk, Section 63

Attachments:

- A. PD 528: Citizen Complaint Form
- B. PD 876: Complaint Withdrawal Form
- C. Code References
- D. PD 875: Drug Screening Consent
- E. PD 865: Authorization for Release of Health Information
- F. Memo, Notice of Charges
- G. Memo, Letter of Reprimand
- H. Memo, Certificate of Suspension
- I. Memo, Certificate of Indefinite Suspension
- J. Memo, Command Counseling

PLEASE READ: In the interest of fairness to all concerned, it is requested that you pause and think about your present course of action. Consider the complications it may cause. However, if you firmly believe that your complaint is justified, you are urged to complete this form. [See instructions below.]

INSTRUCTIONS FOR COMPLETING THIS FORM:

Prepare this report in your own handwriting. You will immediately receive a copy as your receipt. The Office of Professional Standards (OPS) or an investigating officer will communicate with you in writing or by phone in the near future regarding the investigation of your complaint.

COMPLAINANT'S NAME		LAST:	FIRST:	MIDDLE:
ADDRESS:			Apt/Floor:	Date of Birth:
TEL NO:	NAME of person with whom residing in VA	Address where residing if not Norfolk resident:		How long will you reside in Norfolk, VA?
		& TEL NO:		
IF NOT AT HOME, I MAY BE CONTACTED AT: (Time, location, phone)				
Representative/Person Assisting		Address	Apt/Floor	TEL NO:
NAME OF POLICE OFFICER(S) AGAINST WHOM COMPLAINT LODGED (If unknown, provide description and type of duty performed, e. g. foot, auto, detective, etc.)			Badge No.	Precinct / Bureau/ Unit
TIME & DATE OF OCCURRENCE		STREET ADDRESS OR OTHER LOCATION		
NAMES OF ALL WITNESSES		ADDRESS	Apt/FI	Relationship
				TEL NO:

DETAILS OF COMPLAINT (If more space is required, please use back of form or attach additional sheets.)

POLICE DEPARTMENT USE ONLY

DISTRIBUTION – *Original to OPS, copy to complainant, copy to investigating command.*

TIME / DATE REPORTED		LOCATION COMPLAINT RECEIVED		RECEIVED	
				In Person <input type="checkbox"/>	By Phone <input type="checkbox"/> By Mail <input type="checkbox"/>
RANK	SIGNATURE: NPD Member Taking Complaint		SIGNATURE: Person Assisting With Form		SIGNATURE: COMPLAINANT
	Signature: _____		Signature: _____		Signature: _____
	Print Name: _____		Print Name: _____		Print Name: _____

Indicate any additional forms prepared or entries made in Department records with dates (Arrest Reports, Offense Reports, IAD Investigation, etc.)

- | | |
|----|----|
| 1. | 2. |
| 3. | 4. |

FORWARD COPY TO OPS IMMEDIATELY

Complaint to be Handled by Command: YES ☐ NO ☐

TO THE COMPLAINANT:

It is essential that the entire community have confidence in its police department and the administration which supervises the exercise of police authority. This requires procedures for adequate and expedient processing of allegations of misconduct by department members. The administration recognizes that its department members are often subject to intense pressures in the performance of their duties. The department member must remain neutral under circumstances that are likely to generate tension, excitement and emotion. In such situations, words, actions, and events frequently result in misunderstanding and confusion. It is to the advantage of the member to have a departmental division for the processing serious allegations and their underlying circumstances so that complaints can be resolved and the complicated pressures of police work can be carefully considered. The Office of Professional Standards has been established to serve the citizens of the community and department members with fair, impartial, and expedient processing of complaints.

NOTIFICATION: The commanding officer of the Office of Professional Standards shall notify the complainant in writing as to the disposition of complaint after a final determination has been made by the Chief of Police.



Police Department
COMPLAINT WITHDRAWAL FORM

I, _____,
(Print or Type Name)

do hereby request that the complaint of (print or type complaint):

_____ which was brought against:
(Print or type name of officer/s)

of the Norfolk Police Department, be withdrawn.

TERMS OF COMPLAINT WITHDRAWAL:

I have voluntarily requested withdrawal of the complaint without any coercion, threats, promises of reward or immunity by anyone. I have no further concern in the incident, and ☐ it is my expressed desire to drop the matter.

Reason for withdrawal*:

**The NPD reserves the right, at the discretion of the OPS Commanding Officer, to investigate the complaint regardless of withdrawal or signature / lack of complainant's signature, thereof.*

COMPLAINANT'S SIGNATURE: _____

SIGNATURE OF RECORDING OFFICER / PERSON IN LIEU OF COMPLAINANT**:

Unable or Refused to Sign ☐

***If complainant is not available to sign (e.g. notification by phone or letter) or refuses to sign, signature of the recording officer or intake person, below, confirms that request to withdraw was duly communicated per above terms.*

Signature of Recording Officer or/ Person in Lieu of Complainant

Complainant's Address:

Date of Birth: _____ Today's Date _____

WITNESSED BY: _____
(Print/Type Name of Witness)

WITNESS SIGNATURE: _____
(Witness Signature)

CODE REFERENCES

General Order 84-005: Internal Complaint

Reference 1: Code of Virginia, Title 9.1, Commonwealth Public Safety, Chapter 5: Law Enforcement Officers Procedural Guarantee Act, 9.1-500 to 9.1-507.

Reference 2: Code of Virginia 9.1-501.1

Reference 3: Code of Virginia 9.1-503.2

Reference 4: Code of Virginia 9.1-503

Reference 5: Code of Virginia 9.1-505

Reference 6: City of Norfolk Charter, Section 63

Reference 7: Code of Virginia, Title 9.1, Chapter 5: Law Enforcement Officers Procedural Guarantee Act.

Reference 8: Code of Virginia 9.1-504

NORFOLK

*Acknowledgement of city's substance abuse and
Drug-free work place policy*

I further understand that compliance with this Policy is a specific condition of my continued employment and will be a condition of my employment throughout my service with the City. I understand that any violation of the Policy will subject me to disciplinary action, including termination.

(Employee's Printed Name)

(Social Security Number)

(Witness / Signature)

(Employee's Signature)

APPOINTMENT

_____ has been sent for a drug screening on _____
(Name of individual being tested) (Date/Time)

at _____
(Name and Address of Approved Facility)

The FULL-TIME position of: _____

The PART-TIME position of: _____

Individual is a current city employee in the position of _____
And is being tested for: _____

Transfer

(Department/Bureau)

AUTHORIZATION FOR RELEASE OF HEALTH INFORMATION
HIPAA COMPLIANT*(FORM MUST BE FULLY COMPLETED)*

I hereby authorize the use or disclosure of my individually identifiable health information as described below. I understand that this authorization is voluntary. I understand that if the organization authorized to receive the information is not a health plan or health care provider, the released information may no longer be protected by federal privacy regulations.

Patient's Name: _____ SSN: _____

Persons/organizations providing the information: _____
Persons/organizations receiving the information: _____Specific description of information (including date[s]):

Purpose: _____

The patient or the patient's representative must read and initial the following statements:1. I understand that this authorization will expire (give date or event) Initials: _____
_____2. I understand that I may revoke this authorization at any time
by notifying _____in writing; but if I do, it won't have any affect on any actions
they took before they received the revocation.

Initials: _____

Date: _____

Signature of patient or patient's representative
(Form MUST be completed before signing)

Printed name of patient's representative: _____

Relationship to the patient: _____

*** YOU MAY REFUSE TO SIGN THIS AUTHORIZATION ***



NORFOLK

Intra Departmental Memorandum

TO: Employee

FROM: Chief of Police

COPIES TO: Distribution List

SUBJECT: Office of Professional Standards File # PS2XXX-XXXX

DATE:

SAMPLE MEMO NOTICE OF CHARGES

You are being investigated for violation of Norfolk Police Departmental Policies and Procedures as follows:

BODY OF CHARGES

As a result of this investigation you may be exonerated, reprimanded, suspended, demoted, or dismissed.

You may, if you desire, respond orally or in writing to these charges to the Chief of Police via your chain of command no later than five (5) calendar days from the date this notice is received. It will be your responsibility to ensure that any response you wish to make is received by the Commanding Officer (Division), within this time period for consideration prior to any imposition of discipline.

Michael G. Goldsmith
Chief of Police

MGG/

C: City Manager
Director of Human Resources
Office of Professional Standards
Office of Support Services



NORFOLK

Intra Departmental Memorandum

TO: Employee

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DATE:

SAMPLE MEMO Letter of Reprimand

You are hereby issued this Letter of Reprimand for violation of Norfolk Police Departmental Policies and Procedures as follows:

BODY OF CHARGES

In the event you wish to appeal this action, you should immediately review Norfolk Police Department General Order ADM-220, Section 63 of the City Charter, and the City's Grievance Procedure.

Michael G. Goldsmith
Chief of Police

MGG/

C: City Manager
Director of Human Resources
Office of Professional Standards
Office of Support Services



NORFOLK

Intra Departmental Memorandum

TO: Employee

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SUBJECT: Office of Professional Standards File # PS2XXX-XXX

DATE:

SAMPLE MEMO CERTIFICATE OF SUSPENSION

You are hereby suspended for a period of eight (8) hours for violation of Norfolk Police departmental policies and procedures as follows:

BODY OF CHARGES AND ALLEGATIONS

This suspension shall be effective on (date) through (date). Prior to commencing this period of suspension, you will surrender your badge, service weapon, and identification card to your Commanding Officer. Beginning with the first hour of the suspension and continuing through the last hour, and all at intervening times (whether but for the suspension you would have been on duty or off duty), your authority as a law enforcement officer is suspended and you are not to activate yourself or otherwise act in any law enforcement capacity.

In the event you wish to appeal this action, you should immediately review Virginia Code, Section 9.1-502, General Order ADM-220, Section 63 of the City Charter, and the City's Grievance Procedure.

Michael G. Goldsmith
Chief of Police

MGG/

C: City Manager
Director of Human Resources
Office of Professional Standards

Payroll
Retirement Board
Office of Support Services



NORFOLK

Intra Departmental Memorandum

TO: Employee

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SUBJECT: Office of Professional Standards File # PS2XXX-XXX

DATE:

SAMPLE MEMO CERTIFICATE OF INDEFINITE SUSPENSION

With the approval of the City Manager, in his capacity as the Director of Public Safety, you are hereby suspended from duty indefinitely for violations of Norfolk Police departmental policies and procedures as attached.

Your suspension is effective immediately. You will surrender all issued police equipment to your Commanding Officer prior to commencing this period of suspension.

This is, in effect, a decision to terminate your employment subject only to your rights of appeal under Virginia Code Section 9.1-502, as implemented by General Order ADM-220, Section 63 of the City Charter, and the City's Grievance Procedure within the applicable time limits, which shall commence upon your receipt of this certificate.

Michael G. Goldsmith
Chief of Police

MGG/

C: City Manager
Payroll
Retirement System
Director of Human Resources

Office of Professional Standards
Office of Support Services
Norfolk Police-Fire Trial Board

G.O. ADM-210
Revised 05/15 SMD

Attachment I

Date of Issue: 11/01/16
For use by all commands



NORFOLK

Intra Departmental Memorandum

TO: Employee

FROM: Chief of Police

COPIES TO: Commanding Officer, Personnel Division

SUBJECT: Command Counseling, OPS File # PS2XXX-XXXX

DATE:

SAMPLE MEMO

I have reviewed the internal investigation in reference to _____ and have determined the allegation will be classified as substantiated. Therefore, I direct that you receive command counseling (description). You are to report to the (Commanding Officer) of the (division) for the commanding counseling in an effort to prevent a reoccurrence of any similar incident.

Michael G. Goldsmith
Chief of Police

TO: Chief of Police
FROM: _____

Command counseling was provided to the above employee

on _____ by _____ MGG/

Supervisor Signature _____ Date _____

Employee Signature _____ Date _____

MGG/